

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

SCHUCHMAN/SAMBERG INVESTMENTS, INC.,)
Plaintiff/Counter Defendant,)

v.)

HOOSIER PENN OIL CO. INC., UNIVAR USA INC. f/k/a)
VAN WATERS & ROGERS INC., UNION OIL COMPANY)
OF CALIFORNIA f/k/a THE PURE OIL COMPANY, and BP)
CORPORATION NORTH AMERICA INC. f/k/a STANDARD)
OIL COMPANY,)
Defendants/Counter Claimants.)

UNIVAR USA INC.,)
Cross Claimant,)

v.)

UNION OIL COMPANY OF CALIFORNIA, BP)
CORPORATION NORTH AMERICA INC., and HOOSIER)
PENN OIL CO., INC.,)
Cross Defendants.)

HOOSIER PENN OIL CO., INC.,)
Cross Claimant,)

v.)

UNIVAR USA INC.,)
Cross Defendant.)

Cause No.
1:13-cv-0107-SEB-TAB

JOINT STATUS REPORT

Plaintiff Schuchman/Samberg Investments, Inc. (“Schuchman”) and Defendants Hoosier Penn Oil Co. Inc. (“Hoosier Penn”), Univar USA Inc. (“Univar”), Union Oil Company of California (“Union Oil”) and BP Corporation North America Inc. (“BP”) (collectively, “Parties”) jointly file this status report pursuant to the Court’s August 31, 2018 Order (docket # 150):

1. On August 31, 2018, the Court issued an Order (“August 2018 Order”) administratively closing this litigation and stating in relevant part:

The Clerk of Court is directed to administratively close this action in light of the parties stated intentions to pursue private mediation. All pending deadlines are VACATED and pending motions DENIED as moot. Parties may seek to reopen the case by filing a joint status report thirty (30) days after the conclusion of private mediation and an appropriate motion to reinstate this cause of action.

(August 2018 Order (docket # 150).)

2. After a large amount of preliminary work and preparation, the Parties participated in a private mediation on February 6, 2020. As a result of those efforts, the Parties reached settlements in principle addressing all of the issues involved in this complex litigation, and the Parties are currently working to finalize and execute the necessary settlement documents. When that process is complete, the Parties anticipate filing a stipulation dismissing this litigation with prejudice. It is not currently known how long it will take for that process to play out, but the Parties are hopeful that it can be done within the next sixty (60) days.

3. As such, the Parties do not believe that it will be necessary to reopen or reinstate this case (except for a stipulation and order of dismissal with prejudice), but are nevertheless filing this Joint Status Report within the thirty-day period referenced in the August 2018 Order to keep the Court informed of the Parties’ ongoing efforts to resolve and formally dismiss this litigation.

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Respectfully submitted,

s/ Michael J. Reeder

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